



GOV. MSG. NO. 646

EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE  
GOVERNOR

April 30, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 30, 2009, the following bill was signed into law:

SB162

A BILL FOR AN ACT  
RELATING TO EDUCATION.  
**ACT 033 (09)**

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on APR 30 2009

THE SENATE  
TWENTY-FIFTH LEGISLATURE, 2009  
STATE OF HAWAII

JAN 23 2009

**ACT 033**  
**S.B. NO. 162**

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## A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the department of  
2 education continuously reviews the implementation and  
3 effectiveness of the performance standards to determine whether  
4 or not the standards should be modified. As a result, there is  
5 no longer any need for the performance standards review  
6 commission.

7       The purpose of this Act is to repeal the performance  
8 standards review commission.

9       SECTION 2. Section 302A-201, Hawaii Revised Statutes, is  
10 amended to read as follows:

11       "§302A-201 Statewide performance standards. (a) The  
12 board shall establish statewide performance standards and the  
13 means to assess the standards based upon the recommendations in  
14 the final report of the performance standards commission  
15 established pursuant to Act 334, Session Laws of Hawaii 1991;  
16 provided that the board may review and modify the performance  
17 standards, as the board deems necessary, to reflect the needs of



1 public school students and educational goals adopted by the  
2 board.

3 ~~[(b) The board shall appoint a performance standards~~  
4 ~~review commission, to be convened at the beginning of the 1997-~~  
5 ~~1998 school year, and every four years thereafter, to assess the~~  
6 ~~effectiveness of the performance standards. The commission~~  
7 ~~shall include representatives of the Hawaii State Parent,~~  
8 ~~Teacher, Student Association, the Hawaii State Student Council,~~  
9 ~~the superintendent, the dean of the college of education of the~~  
10 ~~University of Hawaii, and the professional education community.~~  
11 ~~The commission may request the assistance of such department or~~  
12 ~~school staff as may be necessary to facilitate its review.~~

13 ~~(c) The commission shall review the implementation of the~~  
14 ~~performance standards by the board and the schools to determine~~  
15 ~~whether the standards should be modified. In making this~~  
16 ~~determination, the commission shall seek public input by holding~~  
17 ~~public forums to discuss the implementation and effectiveness of~~  
18 ~~the performance standards. The commission shall submit a report~~  
19 ~~of its findings and recommendations regarding the effectiveness~~  
20 ~~of the standards and the need for modification of the standards~~  
21 ~~to the board and the legislature prior to the convening of the~~



1 ~~1999 regular session. The board shall consider and implement~~  
2 ~~the modifications beginning with the 1999-2000 school year.~~

3     ~~(d)]~~ (b). Notwithstanding any law to the contrary, the  
4 department shall establish procedures and guidelines for, and  
5 shall expand, its statewide assessment program to include  
6 norm-referenced testing in the same grades as required by the  
7 federal No Child Left Behind Act of 2001 (Public Law 107-110)  
8 standards-based assessment (grades 3 through 8 and one grade in  
9 high school) in reading and math, using the most appropriate  
10 nationally normed test."

11     SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13     SECTION 4. This Act shall take effect upon its approval.  
14

APPROVED this 30 day of APR, 2009



GOVERNOR OF THE STATE OF HAWAII